In re Application of LUCOVSKY et al.
Serial No. 10/017,680

REMARKS

The Office action has been carefully considered. The Office action makes note of a previously issued a restriction requirement requiring an election between claim set I (claims 1-20) and claim set II (claims 21-23). In a previous response to the restriction requirement, applicants have elected claim set I, claims 1-20. As a result, claims 1-20 are considered here. The Office action provisionally rejected claims 1-20 under the judicially created doctrine of obviousness-type double patenting based on the following copending patent applications: A/N 10/187,057 and A/N 10/208,975. Further, the Office action rejected claim 1-20 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,789,126 to Saulpaugh et al., ("Saulpaugh"). Finally, the Office action objected to informalities in the specification including exceeding the maximum word limit in the abstract.

Regarding the obviousness-type provisional rejections, applicants will timely file a terminal disclaimer upon indication of allowable subject matter. Regarding the objection to the claims and abstract, applicants have amended the abstract and particular claims to obviate these objections. Regarding the rejections of the claims, applicants respectfully disagree.

By present amendment, claims 21-23 have been cancelled as being unelected claims under the current restriction requirement. Claims 1-4 and 19 have been amended. Applicants submit that the claims as filed were patentable over the prior art of record, and that the amendments herein are for purposes of clarifying the claims and/or for expediting allowance of the claims and not for reasons related to patentability. Reconsideration is respectfully requested.

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Applicants thank the Examiner for the interview held (by telephone) on April 5, 2005. During the interview, the Examiner and applicants' attorney discussed the claims with respect to the prior art. The essence of applicants' position is incorporated in the remarks below.

Prior to discussing reasons why applicants believe that the claims in this application are clearly allowable in view of the teachings of the cited and applied references, a brief description of the present invention is presented.

The present invention is directed to a system and method for using a "services" service that allows for central (*e.g.*, over the internet) access to specific data typically stored on a server computer. See generally FIG. 4 and pages 17-19 of the specification. Services information generally includes information about a myriad of services that may be used in a networked computing environment. Examples of such services include a contacts service, a categories service, a wallet service, etc. Thus, the service associated with the present invention is a service that enables the exchange, manipulation, and transfer of data about other services, *i.e.*, a services service.

Data about services may be stored in the form of a content document (for example, content document 422) and the information that designates access to the data may be stored in the form of a logical services document (for example, roleList document 420). These logical documents may be part of a schema (for example, schema 416) for providing the information about the structure of data stored in the system. Such a system is advantageous for storing services information and the like so that users may obtain various services data, such as, for example,

information about a particular contacts service that may include general contacts information, like names and phone numbers. Thus, because the information may be organized from the perspective of the information itself, the services data may be accessible from any device capable of connecting to the internet. Since the schema may provide the information about the structure of data, any device of any platform or communication protocol may access the data.

One embodiment of the present invention features a system and method for providing a schema for coordinating the access, manipulation, and retrieval of data. The schema may be a function of the class of service. For example, the schema may be directed to data structures typically used in common database platforms that store data about services, *i.e.*, an services schema.

When another computing device wishes to access or retrieve the data, it may first be determined whether the device has permission to access or retrieve the data. As mentioned above, the services service may include a logical services document that may describe a scope of access rights, such as which users have what type of access to which data. For example, a data owner may typically have read/write access to his or her own data, and can provide various types of access to that data to other users based on their IDs, (*e.g.*, read only to some users, read/write to others). Thus, when a user wishes to set the scope as defined in a services settings document, the user may send a request to manipulate the data stored in the logical services document which controls the scope. In response to the request, at least one set of data in a logical services document (data that may correspond to associated identity information) may be manipulated based on the

type of request. In this way, each set of data in the logical services document may correspond to a related field in the services schema and determines the scope of access rights for users according to their identity information. Note that the above description is for example and informational purposes only, and should not be used to interpret the claims, which are discussed below.

Rejections under §102(e)

Turning to the claims, amended claim 1 recites in a computer network, a method comprising, providing a services schema, the services schema having services-related fields arranged into a content document with defined structures for the fields receiving a data access request directed to service information, the request including associated identity information, and in response to the data access request, manipulating at least one set of data in a logical services document that includes data therein according to the associated identity information, each set of data in the logical services document structured to correspond to a field in the content document.

The Office action rejected claim 1 as being anticipated by Saulpaugh. More specifically, the Office action contends that Saulpaugh teaches providing a services schema, the services schema having services-related fields arranged into a content document with defined structures for the fields. Column 15, lines 19-20, column 29, lines 4-25, column 26, lines 45-52, and column 35, lines 34-41 of Saulpaugh are referenced. Further, the Office action contends that Saulpaugh teaches receiving a data access request directed to services information, the request including associated identity information. Column 32, lines 35-67 and

column 33, lines 1-8 of Saulpaugh are referenced. Finally, the Office action contends that Saulpaugh teaches in response to the data access request, manipulating at least one set of data in a logical services document that includes data therein according to the associated identity information, each set of data in the logical services document structured to correspond to a field in the content document. Column 32, lines 25-67, column 33, lines 15-67, column 11, lines 45-57, column 13, lines 21-46, and column 18, lines 29-56 of Saulpaugh are referenced. Applicants respectfully disagree.

Saulpaugh teaches, generally, a method and system for manipulating, receiving, and sending messages using message gates. More specifically, the cited and applied sections of Saulpaugh teach the use of message gates to allow clients and servers the ability to exchange "data representation language" messages (*i.e.*, XML messages) in a secure and reliable fashion. See column 7, lines 24-39 of Saulpaugh. In exchanging these XML messages, Saulpaugh teaches that messages may be sent and received between two message gates using services in a distributed networking environment such that a service's particular schema and URI address are published by an "advertisement." See column 15, lines 13-28 of Saulpaugh. An advertisement is typically data associated with a service that describes the content type or the capabilities of the service. As such, message data may be sent between message gates using a naming convention that draws information from each service's advertisements in order to interpret the data sent between message gates. The message gates provide unique ID that refer only to the one instance of each gate, which, in turn,

provides clients and other devices in a networked environment the ability to send and receive messages without knowing certain details about the physical location in the network of other services and devices. As a result, data about a service's schema is stored separate (in an advertisement) from data which corresponds to the service (in an XML document).

In contrast, claim 1 recites providing a services schema, the services schema having services-related fields arranged into a content document with defined structures for the fields. Services data may include data generally associated with web-based services such as a contacts service or a wallet service. That is, claim 1 is directed to a service that deals with and maintains information about other services. Saulpaugh may teach one or more services that deal with and maintain data about specific items, such as specific kinds of messages (*e.g.*, email, instant messaging, etc), but Salpaugh certainly cannot be construed to teach a service having a schema for services (a services schema) that maintains data about other services in one or more services-related fields.

Furthermore, data associated with services in the present invention is stored, sent, and received concurrently with a schema associated with the data. That is, the information is organized from the perspective of the information itself because the services schema may be included in a content document having services related information.

Further yet, claim 1 goes on to recite in response to the data access request, manipulating at least one set of data in a logical services document. Nowhere in Saulpaugh is there disclosed a logical services document. The cited

and applied section of Saulpaugh in which the Office action contends teaches a logical services document actually teaches that messages, requests, and other data being transmitted may be in the form of an XML document. Simply teaching an XML document that may be communicated in a networked environment between two message gates is not the same as manipulating at least one set of data in a logical services document. A logical services document (for example, roleList document 420) may contain information that designates access to data stored in content documents that are part of a services schema.

Still further, claim 1 recites that the logical services document includes data therein according to the associated identity information, each set of data in the logical services document structured to correspond to a field in the content document. Even if one were to equate an XML document to a logical services document (and applicants specifically deny that these are equivalent, but suppose so for the sake of argument), nowhere in Saulpaugh is it taught that each set of data in the logical services document is structured to correspond to a field in the content document. This is because the Office action also contends that XML documents being passed between message gates reads on a content document as used in the present invention. The XML document cannot simultaneously be the logical services document and the content document. To imply so means that data stored in the XML document is structured to correspond to itself. This simply does not make sense. Thus, Saulpaugh cannot possibly be construed to teach both a logical services document and a content document that are part of a services schema.

Applicants submit that claim 1 is allowable over the prior art of record for at least these reasons.

Applicants respectfully submit that dependent claims 2-18, by similar analysis, are allowable. Each of these claims depends either directly or indirectly from claim 1 and consequently includes the recitations of independent claim 1. As discussed above, Saulpaugh fails to disclose the recitations of claim 1 and therefore these claims are also allowable over the prior art of record. In addition to the recitations of claim 1 noted above, each of these dependent claims includes additional patentable elements.

For example, claim 6 recites that the services schema corresponds to a calendar service. The cited and applied section of Saulpaugh teaches security policies that may be employed in XML messages that correspond to an XML schema. Certainly, this section of Saulpaugh does not teach a calendar service. In fact, the word calendar does not appear anywhere in Saulpaugh. Applicants submit that claim 6 is allowable over the prior art for at least this additional reason.

As another example, claim 12 recites that the services schema corresponds to an inbox service. The cited and applied section of Saulpaugh teaches advertisements in XML messages that utilize an XML messaging mechanism. Certainly, this section of Saulpaugh does not teach an inbox service. In fact, the word inbox does not appear anywhere in Saulpaugh. Applicants submit that claim 12 is allowable over the prior art for at least this additional reason.

Turning to the next independent claim, amended claim 19 recites in a computer network, a method comprising, receiving a data access request, the

request including associated identity information, accessing a data store to obtain data based on the associated identity information, constructing a document including at least part of the data and including a defined services schema, and returning the document in response to the request.

The Office action rejected claim 19 as being anticipated by Saulpaugh. More specifically, the Office action contends that Saulpaugh teaches receiving a data access request, the request including associated identity information. Column 32, lines 35-67, column 33 and lines 15-67 of Saulpaugh are referenced. Further, the Office action contends that Saulpaugh teaches accessing a data store to obtain data based on the associated identity information. Column 16, lines 19-33 of Saulpaugh are referenced. Finally, the Office action contends that Saulpaugh teaches constructing a document including at least part of the data, the document arranged according to a defined schema, and returning the document in response to the request. Column 16, lines 19-41 and column 33, lines 56-67 of Saulpaugh are referenced. Applicants respectfully disagree.

As discussed above, Saulpaugh teaches, generally, a method and system for manipulating, receiving, and sending messages using message gates. More specifically, the cited and applied sections of Saulpaugh teach the use of message gates to allow clients and servers the ability to exchange XML messages in a secure and reliable fashion. In exchanging these XML messages, Saulpaugh teaches that messages may be sent and received between two message gates using services in a distributed networking environment such that a service's particular schema and URI address are published by an advertisement. Message

data may be sent between message gates using a naming convention that draws information from each service's advertisements in order to interpret the data sent between message gates. Thus, data about a service's schema is stored separate (in an advertisement) from data which corresponds to the service (in an XML document).

In contrast, claim 19 recites constructing a document including a defined services schema, and returning the document in response to the request. A services schema may be directed to maintaining data generally associated with web-based services such as a contacts service or a wallet service. Moreover, claim 19 is directed to a service that deals with and maintains information about other services. Saulpaugh may teach one or more services that deal with and maintain data about specific items, such as specific kinds of messages (*e.g.*, email, instant messaging, etc), but Salpaugh certainly cannot be construed to teach a service having a schema for services (a services schema) that maintains data about other services in one or more services-related fields.

Furthermore, claim 19 goes on to recite constructing a document including at least part of the data and including a defined services schema. Nowhere in Saulpaugh is there disclosed constructing a document including data and a defined services schema. The cited and applied section of Saulpaugh in which the Office action contends teaches this document actually teaches that messages, requests, and other data being transmitted may be in the form of an XML document. Simply teaching an XML document that may be communicated in a networked environment between two message gates is not the same as constructing a

document including at least part of the data and including a defined services schema.

Applicants submit that claim 19 is allowable over the prior art of record for at least these reasons.

Applicants respectfully submit that dependent claim 20, by similar analysis, is allowable. Claim 20 depends directly from claim 19 and consequently includes the recitations of independent claim 19. As discussed above, Saulpaugh fails to disclose the recitations of claim 19 and therefore claim 20 is also allowable over the prior art of record. In addition to the recitations of claim 19 noted above, dependent claim 20 includes additional patentable elements.

For at least these additional reasons, applicants submit that all the claims are patentable over the prior art of record. Reconsideration and withdrawal of the rejections in the Office action is respectfully requested and early allowance of this application is earnestly solicited.

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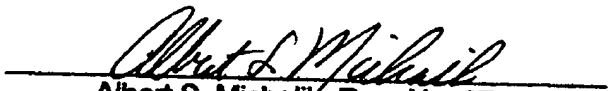
CONCLUSION

In view of the foregoing remarks, it is respectfully submitted that claims 1-20 are patentable over the prior art of record, and that the application is in good and proper form for allowance. A favorable action on the part of the Examiner is earnestly solicited.

If in the opinion of the Examiner a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney at (425) 836-3030.

Respectfully submitted,



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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this Response, along with transmittal and facsimile cover sheet, are being transmitted by facsimile to the United States Patent and Trademark Office in accordance with 37 C.F.R. 1.6(d) on the date shown below:

Date: April 25, 2005

Albert S. Michalik

3070 Amendment